

## State Water Resources Control Board

Division of Drinking Water

April 22, 2019

System No. 1010055

Daniel Vang  
FCSA #47/Quail Lake Estates  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93722

### **CITATION NO. 03-23-19C-071 TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION FOR January 2019**

Enclosed is Citation No. 03-23-19C-071(hereinafter "Citation"), issued to the FCSA #47/Quail Lake Estates Water System (hereinafter "Water System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Sudarshan Poudyal of my staff at 559-447-3300.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JAR', is positioned above the typed name.

José A. Robledo, P.E.  
Senior Water Resource Control Engineer  
Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

JAR/mhb

Enclosures

Certified Mail No. 7018 0040 0000 3160 0305

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** FCSA #47/Quail Lake Estates Water System

**Water System No:** 1010055

**Attention:** Daniel Vang  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, CA 93722

**Issued:** April 17, 2019

CITATION FOR NONCOMPLIANCE WITH  
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1

**TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION**

**January 2019**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part

12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues Citation No. 03-23-19C-071(hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the FCSA #47/Quail Lake Estates Water System (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64426.1.

Applicable statutes and regulations can be found at:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Lawbook.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html)

#### STATEMENT OF FACTS

The Water System is classified as a community public water system with an approximate population of 1982, serving 709 connections. The Water System operates under Domestic Water Supply Permit No. 03-11-97P-003 issued by the State Water Board on September 1997.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to maximum contaminant levels.

CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (hereinafter "MCL"), states that a public water system is in violation of the total



coliform MCL if it collects fewer than 40 bacteriological samples per month and if more than one sample collected during any month is total coliform-positive.

The Division received laboratory results for one bacteriological sample, collected on January 8, 2019 from the distribution system of the Water System and was positive for total coliform and absent for E. coli and fecal coliform. The Water System collected repeat samples on January 10, 2019. The repeat sample set consisted of two (2) source samples and three (3) distribution samples. Two (2) of those samples collected on January 10, 2019 tested positive for total coliform bacteria and absent for E. coli and fecal coliform. The Water System collected an additional five (5) repeat samples consisting of two (2) source samples and three (3) distribution samples on January 14, 2019 and were absent for total coliform.

#### DETERMINATION

The Water System took fewer than 40 bacteriological samples during January 2019. In January 2019, a total of eleven (11) samples were collected and sampled, seven (7) were collected from the distribution system and four (4) were collected from Well 1 and Well 2. Three (3) out of the eleven (11) samples were positive for total coliform and absent for E. coli and fecal coliform. Therefore, the State Water Board has determined that the Water System has failed to comply with drinking water standards pursuant to CHSC, Section 116555(a)(1) and CCR, Title 22, Section 64426.1 during January 2019. Public Notification and a Level 1 Assessment are required. The Level 1 Assessment was completed and submitted on February 4, 2019.

#### DIRECTIVES

The Water System is hereby directed to take the following actions:

1. By **April 29, 2019**, The FCSA #47/Quail Lake Estates water system shall provide public notification of the January 2019 coliform contamination of the

1 total coliform Maximum Contaminant Level Failure to each consumer using  
2 Attachment A.

3  
4 By **May 1, 2019**, the Water System shall provide proof of public notification  
5 of the total coliform MCL violation for January 2019 by completing Attachment  
6 B and returning it via email to:

7  
8 [dwpdist23@waterboards.ca.gov](mailto:dwpdist23@waterboards.ca.gov)  
9  
10

11 All submittals required by this Citation shall be electronically submitted to the State  
12 Water Board at the following address. The subject line for all electronic submittals  
13 corresponding to this Citation shall include the following information: Water System  
14 name and number, citation number and title of the document being submitted.

15  
16 [dwpdist23@waterboards.ca.gov](mailto:dwpdist23@waterboards.ca.gov)  
17

18 The State Water Board reserves the right to make modifications to this Citation as it  
19 may deem necessary to protect public health and safety. Such modifications may  
20 be issued as amendments to this Citation and shall be effective upon issuance.

21 Nothing in this Citation relieves the Water System of its obligation to meet the  
22 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,  
23 commencing with Section 116270), or any regulation, standard, permit or order  
24 issued or adopted thereunder.

25  
26 **PARTIES BOUND**

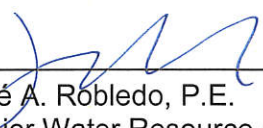
27 This Citation shall apply to and be binding upon the Water System, its owners,  
28 shareholders, officers, directors, agents, employees, contractors, successors, and  
29 assignees.  
30

**SEVERABILITY**

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

  
\_\_\_\_\_  
José A. Robledo, P.E.  
Senior Water Resource Control Engineer  
Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

4/22/19  
\_\_\_\_\_  
Date

Attachments [2]

A. Public Notice

B. Proof of Public Notification – Compliance Certification

Certified Mail No. 7018 0040 0000 3160 0305





ATTACHMENT A

NOTIFICATION TEMPLATE

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

**Este informe contiene informacion muy importante sobre su agua potable.  
Por favor hable con alguien que lo pueda traducir.**

**FCSA #47/QUAIL LAKE ESTATES WATER SYSTEM Had  
Levels of Coliform Bacteria  
Above the Drinking Water Standard**

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took 11 samples to test for the presence of coliform bacteria during January 2019. Three (3) of those samples showed the presence of total coliform bacteria. The standard is that no more than 5% of the total number of samples collected per month may test positive for coliform bacteria.

**What should I do?**

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.**
- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

**What was done?**

In instances like this, federal law requires that we conduct a Level 1 Assessment of our water system immediately after learning of the violation to determine the source of contamination. We are required to report to the State Water Board within 30 days of triggering the assessment the actions we took to correct the deficiencies found and a schedule for correcting other deficiencies not corrected within 30 days. The Level 1 has been submitted on February 4, 2019.



What happened? What is being done? \_\_\_\_\_

[Describe corrective action] \_\_\_\_\_

We anticipate resolving the problem within [estimated time frame]

For more information, please contact:

[Name of Contact] \_\_\_\_\_

[Phone Number] or \_\_\_\_\_

[Mailing Address] \_\_\_\_\_

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

### **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by FCSA #47/Quail Lake Estates Water System in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

State Water System ID: 1010055. Date distributed: [Distribution Date]

## Attachment B. COMPLIANCE CERTIFICATION

**Citation Number:** 03-23-19C-071

**Name of Water System:** FCSA #47/Quail Lake Estates Water System

**System Number:** 1010055

### Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violation of California Code of Regulations, Title 22, Section 64426.1, for the compliance period of January 2019 and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 2) Public Notification Method(s) Used:</i>	
<i>(Citation Directive 4) Complete and Submit Positive Total Coliform Investigation</i>	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers.**

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN May 1, 2019</b>
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**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.